

**Maine Revised Statutes**  
**Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES**  
**Chapter 501: MEDICAL CONDITIONS**

**§19204-B. RESTRICTIONS ON REQUIRING TESTS OR RESULTS OF TESTS**

**1. Employee testing.** An employee or applicant for employment may not be required to submit to an HIV test or reveal whether the employee or applicant for employment has obtained an HIV test as a condition of employment or to maintain employment, except when based on a bona fide occupational qualification. The Maine Human Rights Commission shall enforce this subsection.

[ 1995, c. 404, §16 (AMD) . ]

**2. Employee rights.** The employment status of any employee may not be affected or changed:

A. If the employee declines to be tested; [ 2007, c. 93, §4 (AMD) . ]

B. If the employee testifies or assists in any proceeding under this chapter; [ 1987, c. 811, §9 (NEW) . ]

C. If the employee asserts any other rights exercised in good faith pursuant to this chapter; or [ 1987, c. 811, §9 (NEW) . ]

D. Because of the result of any test taken pursuant to this chapter. [ 1987, c. 811, §9 (NEW) . ]

[ 2007, c. 93, §4 (AMD) . ]

**SECTION HISTORY**

1987, c. 811, §9 (NEW). 1989, c. 161, (AMD). 1995, c. 404, §16 (AMD).  
2007, c. 93, §4 (AMD).

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